

221

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - Industries and Commerce Department - Allegation of Corruption against Sri Tenali Anand Kumar, General Manager, District Industries Centre, Adilabad District - Trapped on 19-8-2010 - Sanction of Prosecution - Orders - Issued.

INDUSTRIES AND COMMERCE (VIGILANCE) DEPARTMENT

G.O.Ms.No.77

Dt: 06-08-2011

&&&&

ORDER:

1. Whereas, Sri Tenali Anand Kumar S/o Prasada Rao, aged 48 years, worked as General Manager, District Industries Centre, Adilabad District during the period from 25-09-2009 to 19-08-2010 and by virtue of the post held by him he falls under the category of public servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988. (Act 49 of 1988);
2. And whereas, it is alleged that the defacto complainant Sri Jadav Pavan Kumar S/o Prakash Rao, is a resident of New Housing Board Colony, Adilabad Town and he registered a firm in the name of R.P. Earth Movers in the District Industries Centre, Adilabad for getting subsidy under the scheme of Industrial Investment Promotion Policy Scheme (IIPP) 2005-2010. The fact that Sri Jadav Pavan Kumar was intending to purchase a procliner and tipper through Syndicate Bank, Adilabad and in that connection he paid 25% of margin amount of Rs.11,34,000/- in Syndicate Bank, Adilabad and obtained a loan of Rs.32,50,000/- from the said Bank and purchased a pocliner and Tipper. In this connection he met Sri T. Anand Kumar, the concerned General Manager, District Centre, Adilabad and submitted an application to avail the subsidy. There onwards Sri T. Anand Kumar, General Manager forwarded the said application to the Commissioner of Industries for releasing the subsidy with regard to the purchase of the pocliner and tipper by Sri J. Pavan Kumar. The Office of the Commissioner of Industries verified the said application and returned the file to Sri T. Anand Kumar, General Manager with certain objections on 28.7.2010 and the General Manager, District Industries Centre, Adilabad served a notice to Sri J. Pavan Kumar for complying the remarks raised by the Commissioner of Industries. Thereupon Sri J. Pavan Kumar complied the objections raised by the Commissioner of Industries and resubmitted the application on 29.7.2010 to Sri T. Anand Kumar. Then the General Manager Sri T. Anand Kumar demanded a bribe of Rs.2,30,160/- i.e., 15% of the subsidy for doing an official favour of completing the remarks and to resubmit the same to the Commissioner of Industries and also informed that he will look after everything with regard to the said matter, on which Sri J. Pavan Kumar expressed his inability to pay the demanded bribe amount to Sri T. Anand Kumar, General Manager and left the said office. Again on 17.8.2010 Sri J. Pavan Kumar met Sri T. Anand Kumar, General Manager at his office and enquired about his application on which Sri T. Anand Kumar, General Manager reiterated his earlier demand of bribe for which Sri J. Pavan Kumar informed to Sri T. Anand Kumar, General Manager that he is unable to pay the demanded bribe amount, upon which Sri T. Anand Kumar, General Manager reduced the demand bribe amount and instructed Sri J. Pavan Kumar to pay an amount Rs.50,000/- and informed that he would send the said file to the Commissioner of Industries and also informed to Sri J. Pavan Kumar that though the Asst. Director, District Industries Centre was not keeping good health, he would send the vehicle inspection report to the Commissioner and thereby directed Sri J. Pavan Kumar to meet him on 19.08.2010 at Revenue Guest House, Adilabad along with demanded bribe amount of Rs.50,000/-. On which Sri J. Pavan Kumar agreed to pay the demanded bribe amount to Sri T. Anand Kumar, General Manager as he has no other option;

3. And whereas, Sri J. Pavan Kumar was not willing to pay the demanded bribe amount to Sri T. Anand Kumar, General Manager, District Industries Centre, Adilabad District lodged a complaint with the Deputy Superintendent of Police, Anti-Corruption Bureau, Karimnagar Range, Karimnagar who after due verification of the complaint and after obtaining permission from the competent authority, registered the complaint of Sri J. Pavan Kumar in Cr.No.8/ACB-KNR/2010 U/s 7 of the Prevention of Corruption Act, 1988 on 19.8.2010 and investigated into;

4. And whereas, on the date of trap i.e., on 19.8.2010, Sri J. Pavan Kumar after leaving the trap party, proceeded to the Revenue Guest House, Adilabad and went into the hall of guest house and found that Sri T. Anand Kumar, General Manager was present in the said hall. On seeing him Sri J. Pavan Kumar enquired about his work on that Sri T. Anand Kumar, General Manager ensured whether the demanded amount was brought or not on his affirmative reply. Sri T. Anand Kumar, General Manager demanded and accepted the bribe of tainted currency notes of Rs. 50,000/- from Sri J. Pavan Kumar with his right hand and counted the same and kept in his right side pant pocket, thereafter both Sri T. Anand Kumar, General Manager and Sri J. Pavan Kumar came out of Guest House and Sri J. Pavan Kumar gave the pre-arranged signal to the trap party. Immediately after receipt of pre-arranged signal, the trap party rushed to Sri T. Anand Kumar, General Manager and stopped him and Deputy Superintendent of Police introduced him to Sri T. Anand Kumar. Immediately, Sri T. Anand Kumar took out a bunch of currency notes from his right side pant pocket and thrown away the said amount in the ground in front of main gate of Revenue Guest House and tried to escape from the place. The trap party stopped Sri T. Anand Kumar, General Manager and conducted phenolphthalein test on his both hand fingers which yielded positive and the tainted currency notes of Rs. 50,000/- were collected at the instance of Sri T. Anand Kumar, General Manager by the mediators, verified the note numbers and denominations, compared the same with the note numbers and denominations already mentioned in the pre-trap proceedings and were found tallied and seized the said amount. The inner linings of the right side pant pocket of Sri T. Anand Kumar was also subjected to the sodium carbonate solution test, which also yielded positive result;

5. And whereas, the above said acts of Sri Tenali Anand Kumar, General Manager, District Industries Centre Adilabad, constitute offences punishable under sections 7 and 13 (2) read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988 (Act 49 of 1988);

6. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri Tenali Anand Kumar, General Manager, District Industries Centre Adilabad, from Government service after carefully examining the copies of FIR, pre and post trap proceedings and the Final Report of the Director General, Anti Corruption Bureau, Hyderabad and other relevant documents i.e., Photostat copy of the corresponding file as mentioned above, inward registers for the years 2009 and 2010, MSMED Part-1 Ack. Register (Vol.1) Office of General Manager, District Industries Centre, Adilabad, letter on 23.8.2010 from the Secretary, Revenue Guest house, Adilabad, placed before them in respect of the said allegation and having regard to the facts and circumstances of the case, consider that the said Tenali Anand Kumar, General Manager, District Industries Centre Adilabad, should be prosecuted in a competent court of law for the aforesaid offences;

7. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Tenali Anand Kumar, General Manager, District Industries Centre Adilabad district for the aforesaid offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offence punishable under any provisions of law for the time being in force in respect of the afore said acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)



(T.S. APPA RAO)
PRINCIPAL SECRETARY TO GOVERNMENT & CIP

To
The Director General, Anti-Corruption Bureau,
Andhra Pradesh Hyderabad.

a File copy